

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSH THOMAS, individually, and on behalf of himself and all others similarly situated,

Plaintiff,

V.

AMERICAN EXPRESS COMPANY,

Defendant.

C20 5785 TSZ

MINUTE ORDER SETTING TRIAL AND RELATED DATES

JURY TRIAL DATE

June 13, 2022

Length of Trial

7 days

Discovery on class certification issues completed by

May 24, 2021

Any motions related to class certification must be filed by

July 22, 2021

Deadline for joining additional parties

September 16, 2021

Any motions for leave to amend pleadings filed by

September 16, 2021

Disclosure of expert testimony under FRCP 26(a)(2)

October 5, 2021

All motions related to discovery must be filed by

October 21, 2021

All remaining discovery completed by

November 18, 2021

All dispositive motions must be filed by
and noted on the motion calendar no later
than the fourth Friday thereafter (see LCR 7(d))

1 All motions related to expert witnesses (*e.g.*, Daubert
2 motion) must be filed by January 20, 2022

3 and noted on the motion calendar no later
than the third Friday thereafter (see LCR 7(d))

4 All motions *in limine* must be filed by April 28, 2022
5 and noted for the third Friday thereafter; responses
shall be due on the noting date; no reply shall be
filed unless requested by the Court

6 Agreed Pretrial Order due¹ May 27, 2022

7 Trial briefs, proposed voir dire questions, and May 27, 2022
8 proposed jury instructions due

9 Pretrial conference to be held at 1:30 p.m. on June 3, 2022

10 These dates are set at the direction of the Court after reviewing the joint status
report and discovery plan submitted by the parties. All other dates are specified in the
11 Local Civil Rules. These are firm dates that can be changed only by order of the Court,
12 not by agreement of counsel or the parties. The Court will alter these dates only upon
13 good cause shown: failure to complete discovery within the time allowed is not
14 recognized as good cause.

15 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
16 possible. Counsel are further directed to cooperate in preparing the final pretrial order in
17 the format required by LCR 16.1, except as ordered below.
18

19 Notwithstanding Local Civil Rule 16.1, the exhibit list shall be prepared in table
format with the following columns: "Exhibit Number," "Description," "Admissibility

21
22 ¹ The Agreed Pretrial Order shall be filed in CM/ECF and shall also be attached as a Word
23 compatible file to an e-mail sent to the following address: ZillyOrders@wawd.uscourts.gov.

1 Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed,"
2 and "Admitted." The latter column is for the Clerk's convenience and shall remain
3 blank, but the parties shall indicate the status of an exhibit's authenticity and
4 admissibility by placing an "X" in the appropriate column. Duplicate documents shall
5 not be listed twice: once a party has identified an exhibit in the pretrial order, any party
6 may use it.

7 The original and one copy of the trial exhibits are to be delivered to the courtroom
8 at a time coordinated with Gail Glass, who can be reached at 206-370-8522, no later than
9 the Friday before trial. Each set of exhibits shall be submitted in a three-ring binder with
10 appropriately numbered tabs. Each exhibit shall be clearly marked. Plaintiff's exhibits
11 shall be numbered consecutively beginning with 1; defendant's exhibits shall be
12 numbered consecutively beginning with the next multiple of 100 after plaintiff's last
13 exhibit; any other party's exhibits shall be numbered consecutively beginning with the
14 next multiple of 100 after defendant's last exhibit. For example, if plaintiff's last exhibit
15 is numbered 159, then defendant's exhibits shall begin with the number 200; if
16 defendant's last exhibit number is 321, then any other party's exhibits shall begin with
17 the number 400.

18 Counsel must be prepared to begin trial on the date scheduled, but it should be
19 understood that the trial may have to await the completion of other cases.

20 Should this case settle, counsel shall notify the Court at 206-370-8830 as soon as
21 possible.
22
23

1 The Clerk is directed to send a copy of this Minute Order to all counsel of record.

2 Dated this 10th day of November, 2020.

3 William M. McCool

4 Clerk

5 s/Gail Glass

6 Deputy Clerk